



Department of the Navy FOIA Backlog Reduction Plan April 2012

DON FOIA Backlog:

From FY-10 to FY-11 the DON FOIA Backlog increased by 66 % (vs the 70% reported in the DoD April 5, 2012 memo.)

SUBCOMPONENT/COMPONENT OR AGENCY REPORTING				REPORT FOR FISCAL YEAR	
Department of the Navy				2011	
SECTION XII - BACKLOGS, CONSULTATIONS, AND COMPARISONS (Continued)					
D. COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT - REQUESTS RECEIVED, PROCESSED, AND BACKLOGGED.					
(1) Provide the number of requests received and the number of requests processed during the fiscal year, and the number of requests backlogged as of the end of the fiscal year (starting with the Annual Report from Fiscal Year 2009) from last year's Annual Report and the number of those received and processed during the fiscal year, and backlogged as of the end of the fiscal year, from the current Annual Report.					
(2) The numbers in Columns 1 and 2 must match the "Number of Requests Received in Fiscal Year" from Section V. A. of the Annual Report from last year and from this year respectively. The numbers in Columns 3 and 4 must match the "Number of Requests Processed in Fiscal Year" from Section V. A. of the Annual Report from last year and from this year respectively.					
(3) The numbers in Columns 5 and 6 must match the "Number of Backlogged Requests as of End of the Fiscal Year" from Section XII. A. of the previous Annual Report and the current Annual Report, respectively.					
REQUESTS RECEIVED		REQUESTS PROCESSED		REQUESTS BACKLOGGED	
1. NUMBER RECEIVED DURING FISCAL YEAR FROM LAST YEAR'S ANNUAL REPORT	2. NUMBER RECEIVED DURING FISCAL YEAR FROM CURRENT ANNUAL REPORT	3. NUMBER PROCESSED DURING FISCAL YEAR FROM LAST YEAR'S ANNUAL REPORT	4. NUMBER PROCESSED DURING FISCAL YEAR FROM CURRENT ANNUAL REPORT	5. NUMBER BACKLOGGED AS OF END OF THE FISCAL YEAR FROM PREVIOUS ANNUAL REPORT	6. NUMBER BACKLOGGED AS OF END OF THE FISCAL YEAR FROM CURRENT ANNUAL REPORT
14303	14203	14410	13599	1088	1658
E. COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS & TRANSDISCIPLINARY AND SUPERIOR ANNUAL REPORT - APPEALS RECEIVED, PROCESSED, AND BACKLOGGED					

It should be further noted that the DON backlog has increased by an additional 15% over the past 6 months.

Eleven of the 38 components reported a backlog in the FY11 FOIA Annual Report. Five components reported a significant backlog of over 100 cases.

The DON long term Goal is to reduce the backlog by a minimum of 50% by this time next year. The short term realistic goal and expectation is that the 5 commands reduce their current backlog by 10%, each. This could be achieved by September 30th – (end of the reporting year), if the proper controls are in place and the following “risks” are balanced during this process.

- This can only be accomplished with a multi-team approach, that operates simultaneously and dedicated to an aggressive efforts at each of the following top 5 commands:
 NCIS USMC NHHC NAVAIR NAVSEA

Risks:

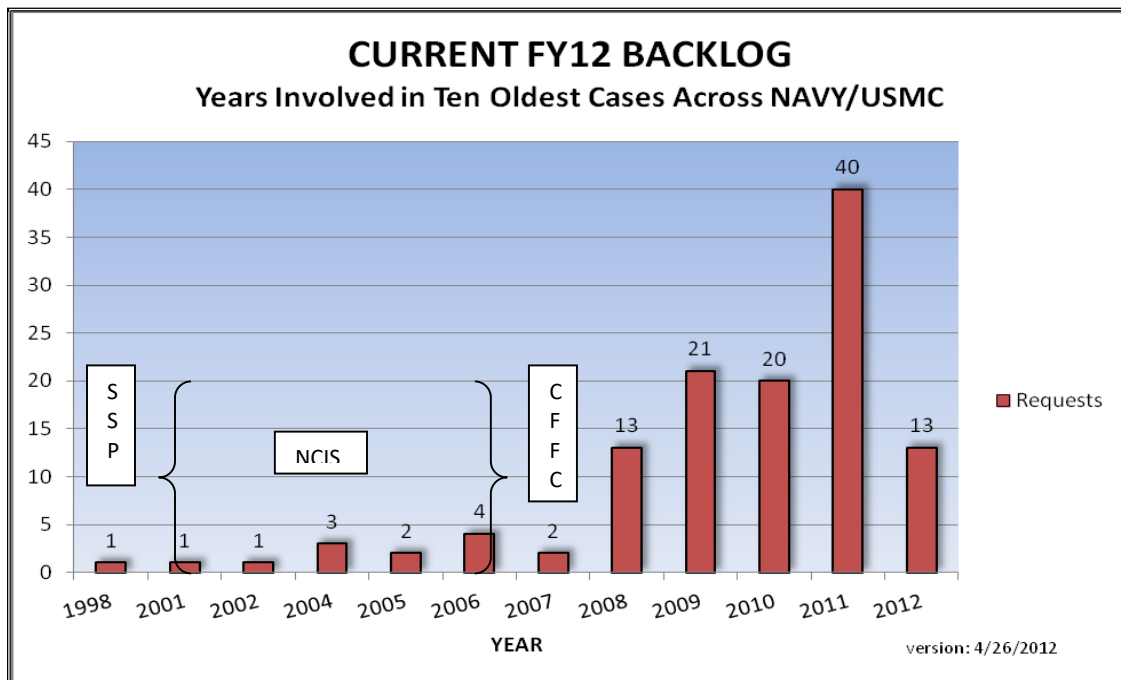
- Unpredictable influx of requests due to world events that impact DON.
- Litigation responsibilities increase.
- Appeal's increase.
- Additional loss of FOIA personnel.
- Increase in the unavoidable revolving backlogs of 5-6 other DON commands.

Below is the list of commands reporting the largest percentage of FY-11 backlog. Additionally, we have included their most recent status as “FY12 midyear”. This data was provided during the April 18th data-call, conducted by DNS-36.

FY11 (DON-backlog 1,656)			FY12 mid year		
➤	NCIS	25%	increased to	58%	(from 409 to 969 ^{1*})
➤	USMC	11%	increased to	17%	(from 183 to 280)
➤	NHHC	11%	increased to	16%	(from 188 to 243)
➤	NAVAIR	18%	decrease to	16%	(from 296 to 263)
➤	NAVSEA	8%	increased to	9%	(from 137 to 156 ^{*i})
➤	DNS-36	1.2%	increased to	5%	(from 20 to 80)

- An overall increase of 20% (during the last 6 months)

During the review of the mid-year data, the following age of the pending backlog was reported as follows:



- 80% of the backlog cases are classified.
- SSP reported a minimal backlog of 18 cases, however, the oldest DON FOIA request.
- SSP's backlog consists of classified cases.
- SSP stated that the agency lacked qualified staff with the specific knowledge needed to review the classified cases, as well as not having any dedicated staff devoted to the FOIA program.
- NCIS has the most voluminous backlog, which date prior to 2007.
- NCIS's backlog cases are all classified and require internal knowledge or expertise to process.

¹ Increase is due to closed action remaining in an open status within our old tracking database. In process of transferring data from existing tracker to the new tracker (NAVSEA FOIA Tracker). Once the conversion is complete, all records will be reviewed and amended to ensure all closed cases are recorded in the tracker as closed. The projected timeframe is approximately July 2012.

- CFFC reported a minimal backlog of 11, and 2 date back to 2007.

After conducting the initial analysis, DNS has determined that developing a strategic Tiger Team will achieve significant results. The approach and timelines are provided as follows:

The DON FOI program backlog reduction Tiger Team(s)

- A two tier team approach will be developed.
- A DON FOI Management team (DNS-36) and subset teams or multiple local “Process Teams” will be strategically formulated at the appropriate skill sets.
- ✓ “T” echnical – FOIA experts, record custodian, subject matter originators/expertise, MDR assistance.
- ✓ “I” ntegration – Harvest the existing aligned business skill sets within local command,
- ✓ “G” roup – augment with outside expertise, as needed
- ✓ “E” ngaged - participation from SME’s and reinforce responsibilities under the FOIA.
- ✓ “R” esources – Record custodian, counsel, security reviews, proper IT integrated into process.

Management-Tiger Team 1,

Management Team will consist of – SECNAV/CNO DNS-36 FOIA Policy staff & request that other DON FOIA specialist (without backlogs) be temporarily (detailed) assigned to this enterprise effort.

- DNS-36 will need to augment internal team with temporary contractor support staff . ASAP
- Additional support and resources will be sought from other DON FOIA specialist, OGC, MDR and JAG, as needed.
- The team will meet initially to review the results of the data call. May 2012
- The FOIA coordinators or IDA’s will be appointed at each command as “Process Leaders” May 2012
- Team will conduct initial kick-off to include VTC/Teleconference with “Process Leaders” May 2012
- Prior to kick-off each “Process Leader” will be instructed to identify “key” command SME’s² May 2012
- Recommendation for key command SME’s, will be provided to DNS May/June
 - seek a DNS directive memo, to instruct participation from “key” command SME’s
 - This will ensure that the proper skill set within each organizations is harvested.
- Site visits will be conducted throughout the process. Routinely
- Command scorecards will be developed and bench marks will be established. June
- Training (Train the trainers) sessions will be implemented and tailored to various skill levels.
- -most command SME’s do not have basic FOIA knowledge June/July
- Weekly reports will be provided to the Management team in the form of scorecards. weekly
- Bi-weekly 2 hour team meetings will be conducted, via teleconference. Bi-weekly

It is imperative that the Management team (1) understand the complexity of each components backlog and (2) to identify critical resources needed to establish an integrated strategic “Processing Team”.

² Subject matter experts.

Proper level of command support and oversight is needed to ensure each “Process Leader” stays on task and concentration is kept on key priorities, to eliminate the risk or tendency to jump from one issue to another before resolving the first or allowing the encroachment of other collateral duties to sidetrack the mission.

Process Leaders:

- Provide 100% participation in all aspects of the team.
- Identify stakeholders, proper formula or skill sets needed for success, based on the unique requirements for each of the identified top 5 command.
- Will assess team members FOIA skill levels and tailor on the job training, so that the members can become self-sufficient in subsequently refining and executing the integrated strategies.
- Coordinate data gathering. Identify and focus on “high impact” or low hanging fruit.
- Schedule/assign work load, as well as outline priorities and set achievable goals.
- Document and distribute results.
- Outline priorities and set realistic goals.

¹ Backlog reported at the NAVSEA Echelon II level only. 187 is the total NAVSEA command backlog.